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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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R. ALEXANDER ACOSTA, Secretary of
Labor, United States Department of Labor,

No. C 15-02776 WHA

Plaintiff,

v.
TLC RESIDENTIAL, INC., a corporation,
and FRANCISCO MONTERO, an individual,

**ORDER RE DOCKET
ENTRY NO. 254**

Defendants.

Attorney Cynthia Browning's recent submission (Dkt. No. 254) does nothing to change the basic fact that she previously represented defendants in this very case, knew them, knew their style, understood their ability (or not) to pay counsel, was previously allowed to withdraw from the case and *then, thereafter* — with her eyes wide open — came back into the very same case to represent the same defendants, gaining a postponement of proceedings to allow her more time, only to have her seek to withdraw yet again for non-payment of fees on the eve of the evidentiary hearing. The Court's refusal to bless a second withdrawal has nothing to do with race or involuntary servitude. It has nothing against Attorney Browning on a personal level. It has only to do with what is expected of an officer of the court and professionalism in this district.

The motion is **DENIED**. However, Attorney Browning is now excused from further representing defendants, as a *fait accompli*. The referral to the committee will stand.

United States District Court

For the Northern District of California

1 The committee should decide whether Attorney Browning should continue to practice in this
2 district and, if so, on what terms.

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4 **IT IS SO ORDERED.**

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6 Dated: March 15, 2018.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE